



United States Government

NATIONAL LABOR RELATIONS BOARD
1015 HALF ST., SE
WASHINGTON DC 20570

Re: MTIL, Inc.
Case 13-CA-189867

ORDER

Counsel for the General Counsel's Motion to Strike Respondent's Exception to ALJ Melissa M. Olivero's Decision of July 16, 2018 is granted in part. References, and inclusion, of documents that were not admitted into evidence, and are therefore not part of the official record, are excluded from consideration by the Board. See *King Soopers, Inc.*, 344 NLRB 842, fn. 1 (2005). Accordingly, the Respondent's Exhibits A and B, consisting of the General Counsel's 10(j) Petition to the District Court, and the District Court's decision and order in the 10(j) proceeding, respectively, and any and all references to them, are stricken. See *Innovative Communications Corp.*, 333 NLRB 665, fn. 2 (2001).

Although the Respondent's exception document may not be in precise compliance with the literal requirements of Section 102.46, the exception document sufficiently designates the Respondent's points of disagreement with the judge's decision. See *Williams Services, Inc.*, 302 NLRB 492, fn. 1 (1991). Thus, the General Counsel's motion to strike is denied with respect to the exception.

By direction of the Board:

Dated, Washington, D.C., September 13, 2018.

/s/ Farah Z. Qureshi
Associate Executive Secretary